

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE:

CASE NO.: 22-40421-ELM -13

DIANNE LOUISE DORMAN
100 ASCOT DR
SOUTHLAKE, TX 76092
SSN/TIN: XXX-XX-0339

DEBTOR

HEARING: JUNE 2, 2022 AT 8:30 AM

TRUSTEE'S AMENDED OBJECTION TO CONFIRMATION

TO THE HONORABLE U.S. BANKRUPTCY JUDGE:

NOW COMES Pam Bassel Standing Chapter 13 Trustee and files this Trustee's Amended Objection to Confirmation. Trustee would respectfully show the Court:

In addition to the grounds alleged in the previous objection, which are incorporated herein by reference, the Trustee objects to confirmation for the following reason(s):

The Plan fails to meet the feasibility test of 11 U.S.C. Section 1325 (a) (6). Debtor's Plan provides for the following plan payments:

TO THE TRUSTEE THE SUM OF \$2,920.00 PER MONTH FOR 60 MONTHS FOR A TOTAL OF \$175,200.00.

Debtor's monthly surplus per Schedules I and J is \$4,642.96. The Plan also is not feasible for the following reason(s) if any:

Debtor's schedules indicate significantly lower amounts for the prepetition mortgage arrears and ongoing monthly mortgage payment than the claim filed by the mortgage company. Arrears are underestimated by over \$450,000.00 and the monthly mortgage payment is understated by over \$1,500.00 per month.

The Plan does not meet the requirements of the best interests of creditors test of 11 U.S.C. Section 1325(a)(4). Debtor has equity in non-exempt property as follows:

CASH \$10.00
BANK ACCOUNTS \$205.00
SAVINGS ACCOUNT UNKNOWN VALUE
TXU DEPOSIT \$450.00
NE EQUITY HOMESTEAD \$14924.75
UNDISCLOSED CHECKING ACCOUNT & SAVINGS ACCOUNT WITH EECU
UNDISCLOSED CHECKING ACCOUNT & SAVINGS ACCOUNT WITH BANK OF TEXAS
UNDISCLOSED LAWSUIT WITH CITY OF SOUTHLAKE
UNDISCLOSED LAWSUIT WITH TEXAS A&M

The total equity in non-exempt property is unknown but the Plan provides for equity in non-exempt property of only \$15,589.75.

The Plan may not meet the requirements of the best interests of creditors test of 11 U.S.C. Section 1325(a)(4). Debtor may have non-exempt property with a value which has not yet been determined or disclosed.

The Debtor's Attorney's Fees exceed the court's guidelines for a "no-look" fee.

WHEREFORE, Trustee prays that confirmation be DENIED and for general relief.

Respectfully submitted,
By: /s/ Ethan S. Cartwright
Ethan S. Cartwright, Staff Attorney
Bar No. 24068273
PAM BASSEL STANDING CHAPTER 13 TRUSTEE
Bar No. 01344800
860 Airport Freeway, Ste 150
Hurst, TX 76054
(817) 916-4710 Phone

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on or before the date of filing. Service was accomplished electronically on Debtor's attorney and all parties entitled to electronic notice and by first class mail on the Debtor and the parties listed below, if any.

By: /s/ Ethan S. Cartwright
Ethan S. Cartwright